

DECISION



**THE COMPTROLLER GENERAL
OF THE UNITED STATES**

WASHINGTON, D.C. 20548

FILE: B-214662

DATE: May 23, 1984

MATTER OF: Fab-Turn Equipment, Inc.

DIGEST:

Protest that awardee's bid was nonresponsive is dismissed as academic where the contract award and the solicitation have been canceled.

Fab-Turn Equipment, Inc. protests the Department of the Interior's award of a contract to Smith Machinery Co., Inc. under solicitation No. 3SB-10-05980 for a press brake. Fab-Turn contends that Smith's bid was nonresponsive.

Interior has determined that the contract was awarded improperly and has canceled Smith's contract as well as the solicitation. Therefore, Fab-Turn's protest is now academic, and no useful purpose would be served by our consideration of it. See VSI Corporation, Aerospace Group, B-204959, July 30, 1982, 82-2 CPD ¶ 94.

The protest is dismissed.

Harry R. Van Cleve

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Acting General Counsel